

Exhibit 1

MATTHEW WILLIAM ADKISSON 30(b)(6), Confidential
In re: Daniel's Law Compliance Litigation

July 30, 2024

1

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW JERSEY

In re:)
)
DANIEL'S LAW COMPLIANCE)
LITIGATION)
)
-----)

* CONFIDENTIAL *

VIDEOTAPED DEPOSITION OF MATTHEW WILLIAM ADKISSON

ATLAS DATA PRIVACY CORPORATION 30(b)(6)

New York, New York

Tuesday, July 30, 2024

Reported by:

KRISTIN KOCH, RPR, RMR, CRR

JOB NO. J11491590

MATTHEW WILLIAM ADKISSON 30(b)(6), Confidential
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July 30, 2024

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July 30, 2024

10:18 a.m.

Videotaped Deposition of ATLAS DATA
PRIVACY CORPORATION by MATTHEW WILLIAM
ADKISSON, held pursuant to Rule 30(b)(6) of
the Federal Rules of Civil Procedure, at the
offices of Boies Schiller Flexner LLP,
55 Hudson Yards, New York, New York, before
Kristin Koch, a Registered Professional
Reporter, Registered Merit Reporter,
Certified Realtime Reporter and Notary Public
of the State of New York.

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3

1 A P P E A R A N C E S:

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3 BOIES SCHILLER FLEXNER LLP

4 Attorneys for Plaintiffs

5 100 SE Second Street

6 Miami, Florida 33131

7 BY: JAMES LEE, ESQ.

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9 44 Montgomery Street

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11 BY: MARK C. MAO, ESQ. (Via Zoom)

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14 MORGAN & MORGAN, P.A.

15 Attorneys for Plaintiffs

16 201 North Franklin Street

17 Tampa, Florida 33602

18 BY: RYAN J. MCGEE, ESQ.

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21 PEM LAW LLP

22 Attorneys for Plaintiffs

23 1 Boland Drive

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1 A P P E A R A N C E S: (Continued)

2
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4 TROUTMAN PEPPER HAMILTON SANDERS LLP

5 Attorneys for Cargo Group Inc., Remine Inc.,

6 Atdata, LLC, Enformion, LLC, Corelogic, Inc., Red

7 Violet, Inc. and Acxiom, LLC

8 301 Carnegie Center

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21 1001 Haxall Point

22 Richmond, Virginia 23219

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1 A P P E A R A N C E S: (Continued)

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18 555 Eleventh Street, NW

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25 BY: SAISHA MEDIRATTA, ESQ. (Via Zoom)

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1 A P P E A R A N C E S: (Continued)

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A P P E A R A N C E S: (Continued)

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1 A P P E A R A N C E S: (Continued)

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12 Search Quarry, LLC

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1 A P P E A R A N C E S: (Continued)

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22 New York, New York 10007

23 BY: AARON J. GOLD, ESQ. (Via Zoom)

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1 A P P E A R A N C E S: (Continued)

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3 BALLARD SPAHR LLP

4 Attorneys for Thomson Reuters Corporation, Thomson
5 Reuters Canada Limited, Thomson Reuters Holdings,
6 Inc., and Thomson Reuters Applications, Inc.

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9 BY: MICHAEL BERRY, ESQ. (Via Zoom)

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12 KOLEY JESSEN

13 Attorneys for Data Axle, Inc.

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21 Attorneys for OutSite Interactive, Inc. and GoHunt
22 Holdings LLC

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25 BY: AARON VAN NOSTRAND, ESQ. (Via Zoom)

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1 A P P E A R A N C E S: (Continued)

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5 Attorneys for Quantarium Group, LLC

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8 BY: THOMAS M. KENNY, ESQ. (Via Zoom)

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11
12 ALSO PRESENT:

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14 JOSEPH BARLETTA, Videographer
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16
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1 New York, New York. Do you see that sir?

2 A. I do.

3 Q. What is that address?

4 A. This is office space that we maintain
5 in New York.

6 Q. Okay. Were there operations going on
7 in New York at this time?

8 A. Yes.

9 Q. What were the operations going on in
10 the state of New York at this time?

11 A. General operations that the business
12 would be engaged in. Sorry. Do you mind asking
13 the question again. I just want to make sure I
14 got that.

15 Q. What were the operations that were
16 going on in the state of New York at the address
17 listed under your signature in Atlas 7?

18 A. So if you are asking about the
19 operations of the business and where those
20 operations would be performed, Atlas was
21 incorporated and started life in April of 2021.
22 COVID was still going on, so we were started, like
23 a lot of companies back then, as a remote company
24 with individuals working in different places.
25 That has continued to the present day. Over time

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1 we have obtained office space in different places
2 where there would be a nexus of people working.
3 People perform different functions for the
4 business, so in terms of which operations would be
5 performed in New York in that office, could be any
6 number of operations that the business is engaged
7 in.

8 Q. Is this address in New York under
9 Atlas 7 a shared office space?

10 A. It's not WeWork, but it's -- it's sort
11 of equivalent to a dedicated WeWork space, if you
12 are familiar with that, so it's a flex company
13 that provides, I believe, shared and dedicated
14 spaces for companies.

15 Q. Was the State Troopers Fraternal
16 Association represented by counsel with regard to
17 Atlas 7?

18 A. I couldn't tell you. You would have to
19 ask them.

20 Q. Are you aware of any counsel that
21 represented the State Troopers Fraternal
22 Association in the negotiation of Atlas 7?

23 A. I am not.

24 Q. Okay. Were you the point person for
25 Atlas with regard to negotiation of Atlas 7?

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1 Corporation to be a foreign for-profit
2 corporation, state of New Jersey. Do you see
3 this, sir?

4 A. I see Exhibit 9, yes.

5 Q. Okay. Have you ever seen this document
6 before?

7 A. Let me just take a quick look at it.
8 (Document review.)

9 A. It looks familiar, yes.

10 Q. Okay. When have you seen it?

11 A. I don't recall an exact date. As I
12 said, it looks familiar.

13 Q. Okay. Was there a reason why you
14 waited until January of 2024 to register your
15 business in the state of New Jersey?

16 A. Yes.

17 Q. What was that reason?

18 A. We did not think that a registration
19 with the state of New Jersey of this type was
20 required to do business in the state of
21 New Jersey.

22 Q. And what is your basis for that?

23 A. My understanding of the regulations
24 that would govern that type of activity.

25 Q. Was there a specific entity that is

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1 excluded from doing business in the state of
2 New Jersey or gave you an exception from
3 registering your business in New Jersey that you
4 thought you fell under?

5 A. Sorry. Could you repeat the question.

6 Q. Sure. You said you didn't think you
7 had to register this type of entity, you didn't
8 think they had to register to do business. What
9 type of entity do you didn't think had to register
10 to do business in the state of New Jersey?

11 A. My understanding is that this document
12 relates to something called a business
13 registration certificate. I was not aware that
14 such a thing existed until we had to file this.

15 Q. Got it. And the main business address
16 on Atlas 9, 180 Talmadge Road, number 218, Edison
17 New Jersey?

18 A. Yes.

19 Q. What operations of Atlas are conducted
20 there?

21 A. That is a mailbox company, so we would
22 receive mail at that address and retrieve it.

23 Q. Did you receive notice that -- you
24 meaning Atlas, that they had to file a Certificate
25 of Authority?

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1 A. If you are asking whether we -- I guess
2 what do you mean by "had to file," what is that --
3 what is the --

4 Q. Did you receive notice that resulted in
5 you filing Atlas 9?

6 MR. LEE: And counsel is not referring
7 to communications you had with your counsel.

8 A. What do you mean by "notice"?

9 Q. Did you receive any type of written
10 communication advising Atlas to file Atlas 9?

11 A. There was an organization within the
12 state that expressed a desire to sign up for our
13 services and they indicated to us that in order to
14 do so, we would have to file a BRC, a Business
15 Registration Certificate. That was the first time
16 I had ever heard of a Business Registration
17 Certificate.

18 Q. What organization?

19 A. I believe it was -- it was a state
20 agency. I believe it was the Monmouth County
21 prosecutor's association -- not association.
22 Monmouth County prosecutor's office.

23 Q. Did you enter into an agreement with
24 the Monmouth County prosecutor's office with
25 regards to Daniel's Law services?

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1 A. Yes.

2 Q. When did you enter into an agreement?

3 A. I don't recall the exact date.

4 Q. Earlier on we talked about your
5 education. I have a follow-up question for you.

6 Did you leave MIT voluntarily?

7 A. Yes.

8 Q. Okay. You were not subject to any
9 discipline or expulsion or violation of a policy?

10 A. I don't know what that would have to do
11 with subject matter jurisdiction or the subject of
12 the deposition today. If your intent is to
13 embarrass somebody who was in that situation, I
14 would call that a low blow and probably
15 inappropriate and beneath the role that you play
16 here, but the answer in my case is no.

17 Q. Got it. Did Perkins Coie do any work
18 related to Daniel's Law for Atlas? I don't want
19 the specific work, just did they do any work
20 related to Daniel's Law?

21 A. What do you mean by "related to
22 Daniel's Law"?

23 Q. Any of the Daniel's Law-related
24 services that Atlas offers.

25 A. Well, if you are asking as one of our

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1 A. No.

2 Q. Who is it up to?

3 A. For covered persons who had signed up
4 with us on the Atlas platform who had agreed to
5 this terms of service, upon agreeing to the terms
6 of service they are entering into a contractual
7 relationship that provides us the ability to send
8 them an assignment confirmation and assign their
9 claim to us and then to take actions from there.

10 Q. Turn your attention to the language in
11 subsection little (i), do you see about three
12 lines from the bottom the sentence beginning "the
13 choice to participate in each such instance of
14 formal legal action will be at your sole
15 discretion," do you see that?

16 A. I do.

17 Q. What does Atlas mean by that?

18 A. Again, if you are asking for a legal
19 conclusion, I am not a lawyer and I can't offer
20 one, but as the company representative, my take
21 would be that if there is a situation where -- let
22 me just reread this to make sure I understand the
23 point that -- or the part that you are talking
24 about.

25 (Document review.)

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1 MR. LEE: Hold on. Improper
2 hypothetical. Calls for speculation.
3 Outside the scope. Asked and answered.

4 Go ahead.

5 A. Yes, we would pursue that claim.

6 Q. Take a look at subsection little (ii).

7 Do you see the sentence -- the first sentence:

8 "In certain circumstances Atlas may in its
9 discretion determine that an efficient method of
10 prosecuting takedown notice enforcement actions is
11 through civil litigation whereby individual claims
12 are aggregated and prosecuted by Atlas or its
13 affiliates," do you see that?

14 A. You are talking about the first
15 sentence under little (ii)?

16 Q. Yes, sir.

17 A. Yes, I see that here.

18 Q. What does Atlas mean by "civil
19 litigation whereby individual claims are
20 aggregated and prosecuted"?

21 A. Again, I would -- I would refer to my
22 early answer -- earlier answer, which is that our
23 primary objective is to see compliance with the
24 law, to see the law respected, to see individuals
25 have rights to privacy, security, safety that they

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1 can use to protect themselves and their families.
2 So to -- I'm just reading the sentence again here.
3 Insofar as this is speaking to enforcement, I
4 think to me I read this as saying there are
5 different avenues of justice available and -- and
6 this speaks to Atlas having discretion to
7 determine what those avenues may be.

8 Q. What does Atlas mean by "efficient
9 method"?

10 MR. LEE: Outside the scope.

11 A. So I read efficient method to speak to
12 the efficiency by which non-compliance can be
13 addressed and, again, speaking as a lay person,
14 not as a lawyer, I imagine that there are certain
15 forms of justice that are more efficient than
16 others, some of which might require an individual
17 to spend more time, more money, expend more
18 resources, versus others, so I think the goal here
19 again, if you are asking about the word "efficient
20 method" and efficiency, our focus was how do we
21 help achieve compliance, and I think this sentence
22 speaks to our thoughts on that.

23 Q. Does Atlas have any specific
24 understanding of why it used the phrase
25 "individual claims are aggregated"?

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1 Q. I was going to ask you if it was in the
2 ballpark. Okay.

3 Why were all of those ballpark 19,000
4 assigned claims included in my lawsuit, why didn't
5 you pick a smaller number, for example, to
6 aggregate?

7 MR. LEE: Calls for a legal conclusion.

8 Calls for speculation. Outside the scope.

9 A. Our goal is to effectuate compliance
10 with the law. I don't know why we would
11 selectively have chosen a smaller number of
12 individuals who -- to send assignment
13 confirmations to. Our goal is to make the law
14 work and make it effective, and the litigation
15 reflects that and you see that there is uniformity
16 across the different cases that we filed.

17 Q. But Atlas has the discretion, to use
18 the words in your terms of service, to make that
19 determination as to how many claims to aggregate;
20 correct?

21 A. You keep using the word "aggregation."
22 I --

23 Q. You used the word.

24 MR. LEE: Excuse me. Come on. You are
25 a professional. Please let the witness

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1 information. Otherwise I direct you not to
2 answer.

3 A. To the extent that the choice of what
4 county to file in is part of litigation strategy
5 or services that outside counsel would have
6 provided, then I can't speak to that. I'll say to
7 me personally it doesn't matter what county an
8 action is filed in. There is no difference to me
9 one county or another. The specific choice of
10 county would be, as I say, either part of
11 litigation strategy or -- or a decision that
12 outside counsel would have made.

13 Q. Are you refusing to answer based on
14 privilege?

15 MR. LEE: He just answered.

16 A. I would give you the same answer I just
17 gave you on that.

18 Q. Do you know why they were filed in five
19 counties?

20 MR. LEE: Asked and answered.

21 A. At a high level, lawsuits were filed
22 because there was egregious non-compliance by data
23 brokers. In some cases data brokers, including I
24 believe the client you represent, one of the
25 clients you represent, refused, conveyed that they

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1 would never comply with Daniel's Law and refused
2 in writing to comply with Daniel's Law.

3 Q. Can you --

4 A. Lawsuits were filed.

5 Q. -- give me that writing, please?

6 MR. LEE: Excuse me. Excuse me.

7 Finish your answer, please.

8 A. I could be mistaken. This is my best
9 recollection. And in the face of that
10 non-compliance, lawsuits were filed attempting to
11 get these companies to comply, get these data
12 brokers to follow the law, remove the information
13 that presented a risk to these covered persons and
14 help them understand their -- and take seriously
15 their compliance obligations going forward.

16 Q. Why were they filed in five different
17 counties?

18 MR. LEE: Asked and answered.

19 A. Again, to me it made no difference
20 where a lawsuit was filed, not what county, not
21 federal court, state court. That was part of
22 litigation strategy, services provided by things
23 that would fall under those privileged
24 conversations. So what I can tell you again, just
25 to restate the earlier point, our primary

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1 objective is to get companies to comply with the
2 law, and the lawsuits were filed in an attempt to
3 further that objective and I hope it works.

4 Q. Why were none of the cases filed in
5 federal court?

6 MR. LEE: I give you the same
7 instruction.

8 A. Again, it didn't matter to me at any
9 point whether we were in federal court or state
10 court. I couldn't have told you the difference
11 between one or the other, and the decision -- any
12 decision about where to file, how to file would
13 have been part of litigation strategy and part of
14 the services, guidance, advice that outside
15 counsel would provide to us.

16 Q. You didn't answer my question. Why did
17 you file none of the cases in federal court?

18 MR. LEE: He did answer your question.
19 Asked and answered.

20 MR. KIMREY: No, he didn't.

21 MR. LEE: Asked and answered.

22 Q. Why did you file no cases in federal
23 court?

24 MR. LEE: Asked and answered.

25 A. I can't give you any answer other than

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1 the one I have already given you.

2 Q. Why did you file none of the cases in
3 federal court?

4 MR. LEE: Asked and answered.

5 A. I can repeat my -- continue to repeat
6 myself, but I feel like if you are asking the same
7 question, then the answer I gave you would be --
8 would be the answer to that question.

9 Q. Why, Atlas, did you not file a single
10 one of the 142 cases in federal court even though
11 you have conceded that many of them are subject to
12 federal subject matter jurisdiction?

13 MR. LEE: Asked and answered.

14 A. I'm not sure I understand the
15 difference between the question you just asked and
16 the previous questions you asked, but if you want
17 to restate it, I'm happy to take another look at
18 it.

19 MR. KIMREY: Could you re-read my
20 question, please.

21 MR. LEE: He asked you to restate it,
22 not to read it again.

23 A. I'm not sure -- I'm not gonna
24 understand it if you read me the same question any
25 better than I did the first time, but if you -- if

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1 you restate it, I'm happy to take a look at that.

2 Q. Why did you, Atlas, not file a single
3 case in federal court?

4 MR. LEE: Asked and answered I think a
5 fifth time.

6 A. I think that's the same question you
7 had asked me before. I don't think that's --

8 Q. Can you give me an answer?

9 A. I did give you an answer.

10 Q. What was the answer?

11 MR. LEE: It's in the record.

12 A. Atlas, I, we, had no preference, no
13 understanding of federal court, state court, other
14 courts. What we wanted was for Daniel's Law to be
15 complied with, and in consultation with attorneys
16 litigation strategy was developed, decisions were
17 made and the lawsuits were filed. I'm not sure
18 what more I can add.

19 Q. Who represented the assignors in their
20 entering into the terms and conditions with Atlas?

21 A. You are asking --

22 MR. LEE: Calls for speculation. Lack
23 of foundation.

24 A. Just so I understand, you are asking of
25 the call it ballpark 19,000 assignors across the

MATTHEW WILLIAM ADKISSON 30(b)(6), Confidential
In re: Daniel's Law Compliance Litigation

July 30, 2024
314

1 MR. KIMREY: Objection. Vague.

2 A. No, I am not.

3 Q. Prior to the lawsuits being filed, did
4 you know what subject matter jurisdiction is?

5 A. I did not.

6 Q. Prior to the lawsuits being filed, did
7 you know what CAFA is?

8 A. I did not.

9 Q. Does Atlas care whether these cases,
10 the 142 cases that we have been talking about, are
11 in New Jersey federal court or state court?

12 A. We do not.

13 Q. And can you tell us, just in closing,
14 what does Atlas do?

15 A. Someone had asked this question
16 earlier, I forget who it was, and I think in my
17 request for clarification they asked --

18 MR. KIMREY: Objection. Calls for a
19 narrative. Beyond the scope.

20 A. -- what Atlas meant to me when it was
21 incorporated, and I can tell you what Atlas means
22 to me now. In two words I would say public

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]